

## SENATE BILL No. 280

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### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 31-12-2.

**Synopsis:** Domestic relations counseling user fees. Authorizes a county to adopt an ordinance under which: (1) a domestic relations counseling bureau user fee may be collected from a party who uses domestic relations counseling bureau services; and (2) a domestic relations counseling bureau fund is established to receive the user fee. Authorizes a domestic relations counseling bureau to offer certain additional services. Permits a court to establish a schedule of user fees for the use of domestic relations counseling bureau services if the county adopts a domestic relations counseling bureau ordinance.

**Effective:** July 1, 2006.

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January 9, 2006, read first time and referred to Committee on Appropriations.

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Introduced

Second Regular Session 114th General Assembly (2006)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2005 Regular Session of the General Assembly.

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## SENATE BILL No. 280

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 31-12-2-6, AS AMENDED BY P.L.68-2005,  
2       SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3       JULY 1, 2006]: Sec. 6. The domestic relations counseling bureau shall  
4       perform the following duties in domestic relations cases and such other  
5       duties as the judges described in section 1(1) of this chapter, the judge  
6       described in section 1(2) of this chapter, or a magistrate assigns to the  
7       domestic relations counseling bureau:

8               (1) The domestic relations counseling bureau shall promptly  
9               receive all requests for counseling services for the purpose of  
10              disposing of the requests under this chapter.

11              (2) Whenever a proceeding is initiated and either party requests  
12              counseling or mediation, the domestic relations counseling bureau  
13              shall, in the bureau's discretion, interview and counsel each party  
14              or confer with both parties jointly for the purpose of reconciling  
15              the differences between the parties and making recommendations  
16              to the judge of any court upon referral.

17              (3) In each case assigned to the bureau in which the custody,



support, or welfare of a child is involved, to protect and conserve the interest of the child, the domestic relations counseling bureau shall investigate and report upon:

- (A) the status and condition of the parties to the cause;
- (B) the status and condition of the child;
- (C) the provisions made or to be made for the protection of the welfare of the child; and
- (D) any other matter pertaining to the marriage that may affect the welfare of the child.

(4) Upon order of the judges described in section 1(1) of this chapter or the judge described in section 1(2) of this chapter, the domestic relations counseling bureau shall:

- (A) make post-divorce studies of problems arising in connection with child custody, support, and parenting time;
- (B) provide assistance to the parties in the enforcement of support orders; and
- (C) cause reports to be made and statistics to be compiled, which records and reports shall be kept as the judges described in section 1(1) of this chapter or the judge described in section 1(2) of this chapter directs.

(5) The domestic relations counseling bureau shall provide supervision in connection with referred cases or other cases as the judges described in section 1(1) of this chapter or the judge described in section 1(2) of this chapter may order.

**(6) Upon order of the judges described in section 1(1) of this chapter or the judge described in section 1(2) of this chapter, the domestic relations counseling bureau shall provide the following services:**

- (A) Screening.**
- (B) Counseling.**
- (C) Mediation.**

SECTION 2. IC 31-12-2-13 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: **Sec. 13. (a) The county fiscal body may adopt an ordinance to create a domestic relations counseling bureau fund and permit a court to establish and assess a domestic relations counseling bureau user fee for the use of domestic relations counseling bureau services.**

**(b) If the county fiscal body has adopted an ordinance under subsection (a), a court may:**

- (1) require an eligible individual to pay a domestic relations counseling bureau user fee for the use of domestic relations**

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counseling bureau services; and

(2) adopt by court rule a schedule of domestic relations counseling bureau user fees that the court may assess for the use of domestic relations counseling bureau services.

The court shall deposit a domestic relations counseling bureau user fee collected under this section in the domestic relations counseling bureau fund established by section 14 of this chapter.

SECTION 3. IC 31-12-2-14 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 14. (a) In each county in which the county fiscal body has adopted an ordinance under section 13 of this chapter, a domestic relations counseling bureau fund is established for the purpose of funding the domestic relations counseling bureau. The fund shall be administered by the judges described in section 1(1) of this chapter or the judge described in section 1(2) of this chapter, whichever applies.

(b) The expenses of administering the fund shall be paid from money in the fund.

(c) Money in the fund at the end of a fiscal year does not revert to the county's general fund.

(d) The county fiscal body shall appropriate money from the domestic relations counseling bureau fund to support the domestic relations counseling bureau.

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